



SHARON KELLER  
PRESIDING JUDGE

MIKE KEASLER  
BARBARA P. HERVEY  
ELSA ALCALA  
BERT RICHARDSON  
KEVIN P. YEARY  
DAVID NEWELL  
MARY LOU KEEL  
SCOTT WALKER  
JUDGES

**COURT OF CRIMINAL APPEALS**  
P.O. BOX 12308, CAPITOL STATION  
AUSTIN, TEXAS 78711

DEANA WILLIAMSON  
CLERK  
(512) 463-1551

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(512) 463-1600

April 25, 2018

District Clerk Nueces County  
Patsy Perez  
Box 2987  
Corpus Christi, TX 78403  
\* Delivered Via E-Mail \*

**Re:** Lerma, Ernesto  
**CCA No.** PD-1229-16  
**Trial Court Case No.** 14-CR-3970-H

**COA No.** 13-15-00417-CR

The Court of Criminal Appeals has this day issued the mandate in the above-referenced and styled case number. The mandate will be transmitted electronically only.

**\*\*\*DISTRICT CLERK\*\*\***

**MANDATE RECEIPT ACKNOWLEDGEMENT**

Pursuant to Rule 51.2(a)(1) T.R.A.P, please acknowledge receipt of the mandate of the Court of Criminal Appeals in the above numbered and styled case via this [email link](#).

Sincerely,

Deana Williamson, Clerk

cc: 13th Court Of Appeals Clerk (Delivered Via E-Mail)  
Presiding Judge 347th District Court (Delivered Via E-Mail)  
Stacey M. Soule (Delivered Via E-Mail)  
District Attorney Nueces County (Delivered Via E-Mail)  
Celina Leon (Delivered Via E-Mail)



# TEXAS COURT OF CRIMINAL APPEALS

Austin, Texas

## M A N D A T E

TRIAL COURT NO. 14-CR-3970-H

COURT OF APPEALS NO. 13-15-00417-CR

THE STATE OF TEXAS,

TO THE 347TH DISTRICT COURT OF NUECES COUNTY — GREETINGS:

Before our **COURT OF CRIMINAL APPEALS**, on **JANUARY 24, 2018**, the cause upon appeal to review, revise or reverse your Judgment between:

**ERNESTO LERMA**

**VS.**

**THE STATE OF TEXAS**

**CCRA NO. PD-1229-16**

was determined; and therein our said **COURT OF CRIMINAL APPEALS** made its order in these words:

"This cause came on to be heard on the **STATE'S** Petition for Discretionary Review, and the same being inspected, it is **ORDERED, ADJUDGED AND DECREED** by the Court that the Petition for Discretionary Review be **GRANTED**.

The judgment of the Court of Appeals is **REVERSED** and the cause is **REMANDED** to the trial court, in accordance with the Opinion of this Court, and that this decision be certified below for observance."

Motion for rehearing denied April 25, 2018.

**WHEREFORE**, We command you to observe the order of our said **COURT OF CRIMINAL APPEALS** in this behalf and in all things to have it duly **RECOGNIZED, OBEYED AND EXECUTED**.

**WITNESS, THE HONORABLE SHARON KELLER, Presiding Judge**

of our said **COURT OF CRIMINAL APPEALS**, with the Seal thereof

Annexed, at the City of Austin,

on this day **April 25, 2018**.

**DEANA WILLIAMSON, Clerk**